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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mark A. Ritchart et al.

Serial No.: Art Unit:

Filed: December 12, 2000 Examiner:

For: METHOD AND APPARATUS FOR AUTOMATED
BIOPSY AND COLLECTION OF SOFT TISSUE

10531 U.S. PRO
09/734787
12/13/00

INFORMATION DISCLOSURE STATEMENT

- Form PTO-1449 Pursuant to 37 CFR 1.97(b) - Within 3 months of filing or prior to 1st Office Action
- Certification Pursuant to 37 CFR 1.97(c) - Before Final Office Action or Allowance
- Fee Payment Pursuant to 37 CFR 1.97(c) - Before Final Office Action or Allowance
[\$240.00 Petition Fee as provided for in 37 CFR 1.17(p)]
- Petition, Certification & Fee Pursuant to 37 CFR 1.97(d) - Before issue fee payment
[\$130.00 Petition Fee as provided for in 37 CFR 1.17(i)]

Honorable Assistant Commissioner
of Patents and Trademarks
Washington, D.C. 20231

Sir:

The following are submitted in the above identified application in compliance with 37 CFR 1.97 & 1.98:

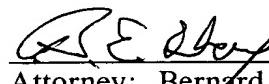
- A list of documents on Form PTO-1449 together with copies of each identified non U.S. document and a translation or a concise explanation of each non-English language document is enclosed herewith.
- A list of documents on Form PTO-1449 is enclosed herewith. The references listed on the attached Form PTO-1449 form were submitted to and/or cited by the Office in the prior application, and, therefore, are not, according to Applicant's understanding, required to be provided in this application.

This paper is submitted in accordance with:

- [X] 37 CFR 1.97(b): [within 3 months of filing or prior to 1st Office Action].
- [] 37 CFR 1.97(c): [before Final Office Action or Allowance, whichever is earlier]; and
- [] The required certification is made hereinbelow; or
- [] The \$240.00 fee specified in 37 CFR 1.17(p) for submission of this information Disclosure Statement is authorized hereinbelow.
- [] 37 CFR 1.97(d): [before issue fee payment]; and
- a) This is a petition for consideration of the subject Information Disclosure Statement.
The petition fee (\$130.00) required by 37 CFR 1.17(i) is authorized hereinbelow; and
 - b) The required Certification is set forth hereinbelow.
- [] Certification:
- [] Each item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; or
- [] No item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing this document after making reasonable inquiry, was known to any individual designated in 37 CFR 1.56(C) more than three (3) months prior to the filing of this Statement.
- [X] Please charge all applicable fees associated with the submittal of this Information Disclosure Statement and any other fees applicable to this application to Deposit Account No. 10-0750/END-712/BES. An original and two (2) copies of this document are enclosed.

Respectfully submitted,

December 12, 2000
Date



Attorney: Bernard E. Shay
Reg. No. 32,061
Phone: (513) 337-3231

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|--------------------------------|---------------------------|-------------|
| List of Art Cited by Applicant | Docket No.: END-712 | Serial No.: |
| | Applicant: Richart et al. | |
| | Filed: December 12, 2000 | Group: |

JC531 U.S. PTO
09/734787
12/13/00

U.S. PATENT DOCUMENTS

| Exam'r Init. | | Document No. | Date | Name | Class | Sub Class | File Date |
|--------------|----|--------------|----------|-----------------|-------|-----------|-----------|
| MA | AA | Re. 33,258 | 7/10/90 | Onik et al. | 604 | 22 | 11/30/87 |
| | AB | Re. 34,056 | 9/8/92 | Lindgren et al. | 128 | 754 | 5/3/91 |
| | AC | 2,705,949 | 4/12/55 | Silverman | 128 | 2 | 8/25/53 |
| | AD | 2,919,692 | 1/5/60 | Ackerman | 128 | 2 | 2/23/56 |
| | AE | 3,404,667 | 10/8/68 | Springer | 128 | 2 | 7/8/65 |
| | AF | 3,590,808 | 7/6/71 | Muller | 128 | 2B | 9/4/68 |
| | AG | 3,606,878 | 9/21/71 | Kellogg, Jr. | 128 | 2B | 10/4/68 |
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| | AI | 3,734,099 | 5/22/73 | Bender et al. | 128 | 305 | 4/7/91 |
| | AJ | 3,844,272 | 10/29/74 | Banko | 128 | 2 B | 4/4/72 |
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| | AP | 4,306,570 | 12/22/81 | Matthews | 128 | 754 | 8/20/80 |
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| MA | AS | WO93/22972 | 3/26/98 | PCT | A61B | 17/068 | |
| PA | AT | WO93/14707 | 8/5/93 | PCT | A61B | 17/32 | |

OTHER REFERENCES (include author, title, date, pertinent pages, etc.)

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| Examiner | AU | | | | | |
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*Examiner: See note on original PTO form concerning initialing and MPEP 609 compliance.
Include copy of this form with next communication to applicant.

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|---------------------------------------|----------------------------------|--------------------|
| List of Art Cited by Applicant | Docket No.: END-712 | Serial No.: |
| | Applicant: Richart et al. | |
| | Filed: December 12, 2000 | Group: 3736 |

U.S. PATENT DOCUMENTS

| Exam'r Init. | | Document No. | Date | Name | Class | Sub Class | File Date |
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| MAA | AA | 4,517,944 | 5/21/85 | Frost | 128 | 305 | 7/24/81 |
| | AB | 4,600,014 | 7/15/86 | Beraha | 128 | 754 | 2/10/84 |
| | AC | 4,644,951 | 2/24/87 | Bays | 128 | 305 | 9/16/85 |
| | AD | 4,651,753 | 3/24/87 | Lifton | 128 | 751 | 10/12/84 |
| | AE | 4,681,123 | 7/21/87 | Valtchev | 128 | 753 | 10/31/86 |
| | AF | 4,699,154 | 10/13/87 | Lindgren | 128 | 754 | 7/30/86 |
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| | AK | 4,733,671 | 3/29/88 | Mehl | 128 | 754 | 3/17/87 |
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| | AM | 4,781,202 | 11/01/88 | Janese | 128 | 754 | 8/31/00 |
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| | AO | 4,850,373 | 7/25/89 | Zatloukal et al. | 128 | 749 | 3/25/88 |
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OTHER REFERENCES (include author, title, date, pertinent pages, etc.)

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Examiner

Hendenberg

Date Considered

10/2/01

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| | AA | 4,940,061 | 7/10/90 | Terwilliger et al. | 128 | 754 | 11/27/89 |
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| | AS | | | | | | |
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OTHER REFERENCES (include author, title, date, pertinent pages, etc.)

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| | AU | | |
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Examiner

Anderson Bay

Date Considered

10/2/01

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| | AB | 5,195,533 | 3/23/93 | Chin et al. | 128 | 754 | 5/8/92 |
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| | AQ | 5,324,300 | 6/28/94 | Elias et al. | 606 | 180 | 10/25/91 |
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Examiner

John Denney

Date Considered

9/12/01

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| <i>MAA</i> | AA | 5,335,672 | 8/9/94 | Bennett | 128 | 754 | 11/24/93 |
| | AB | 5,336,176 | 8/9/94 | Yoon | 604 | 51 | 4/15/92 |
| | AC | 5,341,816 | 8/30/94 | Allen | 128 | 754 | 12/7/92 |
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| | AI | 5,649,547 | 6/22/97 | Ritchart et al. | 128 | 754 | 2/10/95 |

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| | AJ | | | | | | |
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| | AN | | |
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Examiner

Hadarley

Date Considered

12/2/01

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